

Senate File 53 - Reprinted

SENATE FILE 53
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1057)

(As Amended and Passed by the Senate January 31, 2013)

A BILL FOR

1 An Act relating to school district funding from the taxpayers
2 trust fund by making transfers to the property tax equity
3 and relief fund, establishing a school district property
4 tax replacement fund and making transfers to the fund,
5 making appropriations, and including effective date and
6 applicability provisions.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8.57E, subsection 2, Code 2013, is
2 amended to read as follows:

3 2. Moneys in the taxpayers trust fund shall only be used
4 pursuant to appropriations or transfers made by the general
5 assembly for tax relief.

6 Sec. 2. Section 257.2, subsection 9, Code 2013, is amended
7 by adding the following new paragraph:

8 NEW PARAGRAPH. *d.* Property tax replacement payments
9 received under section 257.16B.

10 Sec. 3. Section 257.4, subsection 1, paragraph a, Code 2013,
11 is amended by adding the following new subparagraph:

12 NEW SUBPARAGRAPH. (8) The amount of the school district
13 property tax replacement payment received by the school
14 district under section 257.16B.

15 Sec. 4. Section 257.4, subsection 1, paragraph b, Code 2013,
16 is amended to read as follows:

17 *b.* For the budget year beginning July 1, 2008, and
18 succeeding budget years, the department of management shall
19 annually determine an adjusted additional property tax levy and
20 a statewide maximum adjusted additional property tax levy rate,
21 not to exceed the statewide average additional property tax
22 levy rate, calculated by dividing the total adjusted additional
23 property tax levy dollars statewide by the statewide total
24 net taxable valuation. For purposes of this paragraph, the
25 adjusted additional property tax levy shall be that portion of
26 the additional property tax levy corresponding to the state
27 cost per pupil multiplied by a school district's weighted
28 enrollment, ~~and~~ then multiplied by one hundred percent less
29 the regular program foundation base per pupil percentage
30 pursuant to section 257.1, and then reduced by the amount of
31 property tax replacement received under section 257.16B. The
32 district shall receive adjusted additional property tax levy
33 aid in an amount equal to the difference between the adjusted
34 additional property tax levy rate and the statewide maximum
35 adjusted additional property tax levy rate, as applied per

1 thousand dollars of assessed valuation on all taxable property
2 in the district. ~~The statewide maximum adjusted additional~~
3 ~~property tax levy rate shall be annually determined by the~~
4 ~~department taking into account amounts allocated pursuant to~~
5 ~~section 257.15, subsection 4.~~ The statewide maximum adjusted
6 additional property tax levy rate shall be annually determined
7 by the department taking into account amounts allocated
8 pursuant to section 257.15, subsection 4, and the balance of
9 the property tax equity and relief fund created in section
10 257.16A at the end of the calendar year.

11 Sec. 5. Section 257.15, subsection 4, paragraph b, Code
12 2013, is amended to read as follows:

13 b. After lowering all school district adjusted additional
14 property tax levy rates to the statewide maximum adjusted
15 additional property tax levy rate under paragraph "a", the
16 department of management shall use any remaining funds at the
17 end of the calendar year to further lower additional property
18 taxes by increasing for the budget year beginning the following
19 July 1, the state foundation base percentage. Moneys used
20 pursuant to this paragraph shall supplant an equal amount of
21 the appropriation made from the general fund of the state
22 pursuant to section 257.16 that represents the increase in
23 state foundation aid.

24 Sec. 6. Section 257.16A, Code 2013, is amended by adding the
25 following new subsection:

26 NEW SUBSECTION. 1A. For each fiscal year beginning on or
27 after July 1, 2013, and after the transfer in section 257.16B,
28 there is transferred from the taxpayers trust fund created in
29 section 8.57E to the fund an amount necessary to lower all
30 school district adjusted additional property tax levy rates to
31 the statewide maximum adjusted additional property tax levy
32 rate pursuant to section 257.15, subsection 4, after taking
33 into account amounts allocated pursuant to section 257.15,
34 subsection 4, and amounts deposited in the fund under section
35 423F.2, subsection 3.

1 Sec. 7. NEW SECTION. 257.16B School district property tax
2 replacement fund — payments.

3 1. *a.* A school district property tax replacement fund
4 is created in the state treasury under the authority of the
5 department of education. For each fiscal year beginning on or
6 after July 1, 2013, there is transferred from the taxpayers
7 trust fund created in section 8.57E to the fund an amount
8 necessary to make all school district property tax replacement
9 payments under this section.

10 *b.* There is appropriated annually all moneys in the fund
11 to the department of education for purposes of providing
12 replacement payments to school districts pursuant to this
13 section.

14 2. For each budget year beginning on or after July 1,
15 2013, the amount of money in the school district property tax
16 replacement fund shall be used to provide school district
17 replacement payments to each school district in the state as
18 calculated in subsection 3, paragraph "c", and subsection 4, if
19 applicable.

20 3. For each budget year beginning on or after July 1, 2013,
21 the department of management shall calculate for each school
22 district all of the following:

23 *a.* The state cost per pupil for the budget year beginning
24 July 1, 2012, multiplied by one hundred percent less the
25 regular program foundation base per pupil percentage pursuant
26 to section 257.1.

27 *b.* The state cost per pupil for the budget year beginning
28 July 1, 2013, multiplied by one hundred percent less the
29 regular program foundation base per pupil percentage pursuant
30 to section 257.1.

31 *c.* The amount of each school district's property tax
32 replacement payment. Each school district's property tax
33 replacement payment equals the school district's weighted
34 enrollment for the budget year multiplied by the remainder of
35 the amount calculated for the school district under paragraph

1 "b" minus the amount calculated for the school district under
2 paragraph "a".

3 4. If an amount appropriated for a fiscal year is
4 insufficient to pay all school district replacement payments
5 for the budget year, the director of the department of
6 management shall prorate the amount of each school district's
7 property tax replacement payment and notify the director of the
8 department of education of such prorated amounts.

9 5. School district replacement payments under this section
10 shall be paid by the department of education at the same time
11 and in the same manner as foundation aid is paid and may be
12 included in the monthly payment of state aid under section
13 257.16, subsection 2.

14 6. Notwithstanding section 12C.7, subsection 2, interest or
15 earnings on moneys deposited in the fund shall be credited to
16 the fund. Moneys in the fund are not subject to the provisions
17 of section 8.33 and shall not be transferred, used, obligated,
18 appropriated, or otherwise encumbered except as provided in
19 this section.

20 Sec. 8. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
21 immediate importance, takes effect upon enactment.

22 Sec. 9. APPLICABILITY. This Act applies to school budget
23 years beginning on or after July 1, 2013.